

# Employers' Guide to Road Safety Requirements

Whether employees are driving their own vehicle or a company-owned vehicle for work, requirements set out in the *Occupational Health and Safety Regulation (OHSR)* apply. This guide provides a series of five tables identifying measures and practices that employers (Tables One - Three), supervisors (Table Four) and employees (Table Five) can apply to help address their safety responsibilities when employees drive for work.

## Table One: Employer Responsibilities for Drivers

The OHSR identifies employer responsibilities to ensure that only qualified, competent employees operate vehicles for work, and to make sure they operate vehicles in accordance with applicable laws.

Suggested Work Practices to Address Employer Responsibilities for Drivers	Reference
<p>Before allowing an employee to drive for work:</p> <ol style="list-style-type: none"> <li>confirm they have a valid and class-appropriate driver’s licence for the vehicle(s) they are assigned to drive.</li> <li>check their current driver's abstract for prohibitions, penalties and restrictions; periodically* re-check current abstracts for changes.</li> <li>have a qualified** supervisor or instructor provide instruction on safe use of the vehicle, and complete an initial assessment to confirm the employee has the necessary driving skills to safely operate the vehicle; periodically re-assess to verify continuing competency.</li> </ol> <p>Keep records of employees who have demonstrated competency and are authorized to drive for work.</p> <p>* <b>periodically</b> means at regular intervals, annually or more often as warranted by circumstances.</p> <p>** <b>qualified</b> means being knowledgeable of the work, the hazards involved and the means to control the hazards, by reason of education, training, experience or combination thereof.</p>	<p><b>Competency of operators</b></p> <p><b>OHSR 16.4</b></p>
<ul style="list-style-type: none"> <li>Have a written policy stating that whether they are driving their own vehicle or a company vehicle for work, employees must comply with the laws and company policies and procedures that govern vehicle operation.</li> <li>Support this policy with signed employer-driver agreements that explain driver responsibilities and state their intent to meet them. Require that drivers immediately report driving prohibitions to their supervisor or employer.</li> </ul>	<p><b>Operator’s responsibility</b></p> <p><b>OHSR 16.5</b></p>
<ul style="list-style-type: none"> <li>Have a written policy stating that when employees observe what <u>they</u> feel is an unsafe or harmful condition or act (e.g., vehicle defect, dangerous road conditions, unsafe driving schedule) they must report it to their supervisor or manager. Periodically remind employees of that requirement.</li> <li>Have a process to confirm that the person receiving reports investigates the hazardous condition or act, takes necessary corrective actions immediately, and communicates the information back to workers.</li> </ul>	<p><b>Reporting unsafe conditions</b></p> <p><b>OHSR 3.10</b></p>
<ul style="list-style-type: none"> <li>Instruct drivers and passengers on the right / duty to refuse unsafe work and give examples of what might create undue hazards (e.g., vehicle not safe to drive, dangerous road conditions, fatigue).</li> <li>Make sure supervisors know they cannot operate or direct anyone to operate a vehicle if they have reasonable cause to believe doing so would create an undue hazard.</li> <li>Ensure supervisors are aware of their duty to investigate refusals of unsafe work, and that they are familiar with the procedure required by Regulations and/or company policy.</li> </ul>	<p><b>Procedure for refusal</b></p> <p><b>OHSR 3.12</b></p>

**Table One: Employer Responsibilities for Drivers (continued)**

Suggested Work Practices to Address Employer Responsibilities for Drivers	Reference
<ul style="list-style-type: none"> <li>• If a new or young worker is required to drive for work, train (or verify the worker has previously received necessary training) and orient them on the driving duties they will be assigned.</li> <li>• OHSR Section 3.23 identifies several topics that the orientation and training must include, such as the driving hazards to which the employee may be exposed, working alone, emergency procedures, workplace rights and responsibilities and others.</li> <li>• Keep records of information and training conveyed during orientation. Records should be signed by the employee and the manager / supervisor, and dated.</li> </ul>	<p><b>Young or new workers</b> OHSR 3.22 to 3.25</p>
<ul style="list-style-type: none"> <li>• Have a policy on impairment that directs drivers not to operate a vehicle if they suspect or know that they cannot safely operate it due to physical or mental impairment, and to report their known or suspected impairment to their supervisor or manager before reporting to work.</li> <li>• Educate supervisors and drivers on the causes, signs and symptoms of impairment, and the steps they can take to avoid it.</li> </ul>	<p><b>Physical or mental impairment</b> OHSR 4.19 and OHSR 4.20</p>
<p>Have procedures to ensure that vehicles used for worker transportation are:</p> <ol style="list-style-type: none"> <li>1. designed and suitable for the purposes they are used,</li> <li>2. maintained as per manufacturer recommendations</li> <li>3. operated in a safe manner (e.g., conduct ride-alongs)</li> </ol> <p>Have procedures to ensure that <u>before</u> transporting workers:</p> <ol style="list-style-type: none"> <li>1. a knowledgeable person evaluates road, weather and traffic conditions, determines if driving conditions are sufficiently safe to proceed, and communicates the decision and related information to the vehicle operator.</li> <li>2. a qualified person inspects the vehicle before first use on a work shift, and</li> <li>3. defects and conditions that might affect the safety of workers is corrected.</li> </ol>	<p><b>Transportation of workers</b> OHSR Part 17, especially sections 17.01 through 17.9</p>

**Table Two: Employer Responsibilities for Vehicles**

As with other machinery and equipment that employees operate for their work, employers have responsibilities to make sure that vehicles used for work are properly selected, equipped, inspected and maintained. This table identifies vehicle-related responsibilities that employers have under the OHSR, and practices they can apply to help address those responsibilities.

**Note:** OHSR Part 16.2 indicates, “Mobile equipment required to meet requirements of the Motor Vehicle Act or the Industrial Transportation Act is subject to [the OHSR] for matters not specifically governed by those Acts and the regulations made under them.” Practically, the OHSR defers to several Motor Vehicle Act Regulation (MVAR) requirements, particularly regarding vehicle operation, inspection and maintenance.

Suggested Work Practices to Address Employer Responsibilities for Vehicles	Reference
<ul style="list-style-type: none"> <li>Assess the driving circumstances your employees encounter to determine the types of vehicles needed; consider range of drivers, driving environments and road types, need to carry passengers or supplies, etc.</li> <li>Confirm each vehicle used for work, including employee-owned vehicles, is configured and equipped so that it can perform the functions for which it is used (e.g., is the correct vehicle type and is in satisfactory condition, has sufficient load capacity and necessary safety features).</li> </ul>	<p>Safe machinery and equipment OHSR 4.3</p>
<p>For every vehicle used for work, whether it is owned by the company or the employee:</p> <ol style="list-style-type: none"> <li>have each operator (driver) inspect the vehicle at the start of each shift and thereafter during the day as necessary to prevent mechanical conditions that can adversely affect the vehicle’s safe operating condition.</li> <li>require drivers to report defects and conditions that will affect the safe operation of the vehicle to their supervisor or employer.</li> <li>before the vehicle is operated, repair or remedy defects and conditions that affect its safe operation.</li> <li>do "spot checks" of work vehicles and associated records to verify inspections and maintenance are being done.</li> </ol>	<p>Start of shift inspection OHSR 16.34</p>
<ul style="list-style-type: none"> <li>Keep records of vehicle servicing, repairs and modifications.</li> <li>Make records available to drivers and maintenance personnel (e.g., hard copy, electronic or digital).</li> <li>Employees who use their own vehicle for work should periodically submit maintenance records to their employer.</li> </ul>	<p>Operation and maintenance OHSR 16.3</p>
<ul style="list-style-type: none"> <li>Equip vehicles with audible backup warning devices if the driver cannot see directly behind the vehicle using a mirror or other effective device such as a back-up camera.</li> </ul>	<p>Warning signal device OHSR 16.8</p>
<ul style="list-style-type: none"> <li>Repair defects and conditions that affect the safe operation of the vehicle before it is driven, including broken lights, cracked or missing rear view mirrors, windshields and windows.</li> <li>Ensure the vehicle is not driven until repairs are complete.</li> <li>Do not modify windows (e.g., tinting or large stickers) in a way that restricts the driver's vision.</li> </ul>	<p>Lights OHSR 16.9 Rear view mirror OHSR 16.10 Maintenance OHSR 16.12</p>

**Table Two: Employer Responsibilities for Vehicles (continued)**

Suggested Work Practices to Address Employer Responsibilities for Vehicles	Reference
<ul style="list-style-type: none"> <li>• Provide resources (e.g., education, tools) to ensure materials and equipment can be stored in a secure and stable manner in and on work vehicles.</li> <li>• Periodically verify (e.g., by spot checks, visual inspections) that objects and equipment carried in or on a vehicle are properly stored and secured.</li> </ul>	<p><b>Securing loads</b> OHSR 16.44</p>
<ul style="list-style-type: none"> <li>• Implement safe work procedures for changing flat tires and train workers on those procedures, or direct drivers to have a qualified service provider change or service flat tires.</li> </ul>	<p><b>Tire servicing</b> OHSR 16.47 – 16.48</p>
<ul style="list-style-type: none"> <li>• For vehicles or equipment that have rated capacities (e.g., crane or lift attachments), or maximum towing or carrying capacity affix appropriate instructions, charts and warnings the vehicle in a place visible to the operator.</li> <li>• Store a copy of the same information in the vehicle.</li> </ul>	<p><b>Information on rated capacity</b> OHSR 4.7</p>
<ul style="list-style-type: none"> <li>• Equip vehicles with an appropriate first aid kit (minimum recommended is a Basic First Aid Kit with blankets).</li> <li>• Conduct first aid assessments for the range of driving circumstances your employees encounter; consider the availability of communications, first aid assistance and means to transport injured workers to medical treatment.</li> </ul> <p>For example, employees with reliable communications and driving in areas serviced by emergency responders could typically get help by phoning 911. Workers in areas without reliable cell service may need an active personal monitoring device or a satellite phone supported by a check-in procedure.</p>	<p><b>Occupational first aid</b></p> <p><b>Basic requirements</b> OHSR 3.16</p>

**Table Three Employer Responsibilities for Driving-Related Hazards**

The *Workers Compensation Act* (WCA) identifies employer duties to make their employees aware of workplace hazards. The *Occupational Health and Safety Regulation* (OHSR) sets out further requirements to identify, assess and control exposure to hazards, including hazards associated with work-related driving.

Suggested Work Practices to Address Employer Responsibilities for Driving-Related Hazards	Reference
<ul style="list-style-type: none"> <li>Review workplace activities in which employees may be a driver or a passenger in a vehicle used for work purposes, and identify the hazards to which they may be exposed.</li> <li>Educate employees about those driving-related hazards.</li> <li>Provide employees with the training, supervision and resources necessary to eliminate or minimize exposure.</li> </ul>	<p>General duties of employers</p> <p>WCA 21</p>
<ul style="list-style-type: none"> <li>Implement a check-in process for employees driving alone or travelling in areas where assistance is not readily available.</li> <li>Educate and train drivers on the check-in process.</li> <li>Monitor to verify the process is effective, applied consistently, and achieving intended results.</li> </ul>	<p>Working Alone or In Isolation</p> <p>OHSR 4.20.1 to 4.22 and 4.23</p>
<p>There are many situations in which a worker might be exposed to violence while in a vehicle - health care workers transporting patients, real estate agents taking clients to a property, construction workers sharing a ride to a job site, taxi cab drivers transporting customers, and others.</p> <p>Review duties during which your employees are a driver or passenger in a work vehicle. Determine if they may be exposed to acts of violence. If they are, or may be, exposed to violence, do the following.</p> <ol style="list-style-type: none"> <li>Complete a risk assessment of violence hazards and implement measures to eliminate or minimize risks.</li> <li>Educate and train employees about violence hazards, how to recognize the potential for violence, how to protect themselves, and how to report incidents.</li> <li>Implement a violence prevention policy.</li> </ol>	<p>Violence in the Workplace</p> <p>OHSR 4.27 to 4.30</p>
<ul style="list-style-type: none"> <li>If workers (drivers or passengers) might be exposed to hazardous cold temperatures (e.g., in the event of vehicle breakdown or a crash), equip the vehicle with a winter survival kit and implement an effective person-check process.</li> <li>Educate and train employees on how to minimize exposure to hazards during cold weather.</li> </ul>	<p>Thermal exposure</p> <p>OHSR 7.33 to 7.38</p>
<ul style="list-style-type: none"> <li>While Section 69 of the WCA does not <i>require</i> employers to investigate motor vehicle incidents that occur on public streets or highways, employers are encouraged to investigate motor vehicle crashes, incidents and near misses to identify causes and implement measures to prevent the occurrence of similar incidents.</li> </ul>	<p>Incidents that must be investigated</p> <p>WCA 69</p>

**Table Four: Supervisor Responsibilities**

Part 21 of the *Workers Compensation Act (WCA)* sets out requirements for employers to provide their employees with the supervision necessary to ensure the health and safety of people in the workplace. Part 23 of WCA identifies supervisor responsibilities such as ensuring employees are aware of the driving-related hazards they might encounter, and others. Key sections of the *Occupational Health and Safety Regulation (OHSR)* identify more specific supervisory duties that apply to work-related driving.

Suggested Work Practices to Address Supervisor Responsibilities	Reference
<ul style="list-style-type: none"> <li>• Perform periodic inspections (e.g., observations, ride-alongs) to confirm drivers are complying with applicable laws (e.g., <i>Motor Vehicle Act</i>) as well as company policies and procedures, have the skills to operate the vehicle in the circumstances they will encounter, and are practicing good vehicle housekeeping.</li> <li>• Confirm workers complete pre-trip vehicle inspections (e.g., observe workers while they inspect the vehicle and check inspection records).</li> <li>• Review maintenance records to verify work vehicles are maintained as per manufacturers’ specifications and employer requirements.</li> <li>• When an issue that makes a vehicle unsafe to operate is identified (e.g., reported by a driver or in an inspection), ensure the vehicle is not driven until the issue is repaired or remedied.</li> <li>• Ensure that no employee operates the vehicle if doing so would create an undue (excessive or unwarranted) risk of injury to any person.</li> </ul>	<p><b>Supervisor’s responsibility</b></p> <p><b>OHSR 16.6</b></p>
<ul style="list-style-type: none"> <li>• Understand the supervisor’s duty to investigate refusals of unsafe work.</li> <li>• Be familiar with the procedure required by Regulations and/or company policy.</li> </ul>	<p><b>Procedure for refusal</b></p> <p><b>OHSR 3.12</b></p>
<ul style="list-style-type: none"> <li>• Know the causes, signs and symptoms of impairment (including fatigue), and the steps that can be taken to avoid it.</li> <li>• If a supervisor is told, knows or otherwise suspects a worker is impaired by any means, such that operating a vehicle could create an undue risk for anyone, not assign or allow a worker to drive.</li> <li>• Depending on circumstances, consider assigning the worker other activities provided doing so will not pose an undue risk to the worker or anyone else.</li> </ul>	<p><b>Physical or mental impairment</b></p> <p><b>OHSR 4.19 and OHSR 4.20</b></p>

**Table Five: Driver Responsibilities**

Part 22 of the *Workers Compensation Act* sets out workplace responsibilities for individual workers - taking reasonable care to protect their own health and safety, carrying out their work in accordance with established safe work procedures, and others. These requirements are equally valid when employees are driving or riding in a work vehicle.

Suggested Work Practices to Address Driver Responsibilities	Reference
<ul style="list-style-type: none"> <li>Safely operate employee-owned and company-owned vehicles used for work purposes, always maintaining full control and complying with applicable laws (e.g., <i>Motor Vehicle Act</i>) and company policies and safe work procedures.</li> </ul>	<p><b>Operator's responsibility</b> OHSR 16.5</p>
<ul style="list-style-type: none"> <li>Inspect vehicles at the start of each workday or shift.</li> <li>Re-inspect vehicles during the shift as necessary to ensure its continuing safe operating condition.</li> <li>Document vehicle inspections.</li> <li>Report defects and conditions that affect the safe operation of the vehicle to the supervisor or employer.</li> <li>Ensure that defects and conditions that affect the safe operation of the vehicle are repaired or remedied before the vehicle is used for work.</li> </ul>	<p><b>Start of shift inspection</b> OHSR 16.34</p>
<ul style="list-style-type: none"> <li>Apply good housekeeping practices to keep the vehicle cab, floor and deck clear of hazards.</li> <li>Make housekeeping part of daily vehicle inspection routines.</li> </ul>	<p><b>Securing tools and equipment</b> OHSR 16.35</p>
<ul style="list-style-type: none"> <li>When an employee observes what <u>they</u> feel is an unsafe or harmful condition or act (e.g., vehicle defect, dangerous road conditions, unsafe driving practice), report it to their supervisor or employer.</li> </ul>	<p><b>Reporting unsafe conditions</b> OHSR 3.10</p>
<ul style="list-style-type: none"> <li>Follow the procedure to refuse work that they believe will cause an undue hazard to the health or safety of any person (e.g., not having necessary driving skills, unreasonable driving schedules, driving alone in remote locations during extreme weather, riding in a vehicle operated unsafely).</li> </ul>	<p><b>Procedure for refusal</b> OHSR 3.12</p>
<ul style="list-style-type: none"> <li>When using vehicles for worker transportation have and apply a written procedure the operator uses to verify that a qualified person has inspected the vehicle, and the inspection indicates the vehicle is safe to use.</li> <li>Document inspections. Keep inspection, maintenance and repair records.</li> </ul>	<p><b>Operator responsibility</b> OHSR Part 17.2.1</p>

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